

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

FAIR ISAAC CORPORATION,

Court File No. 16-cv-1054 (WMW/DTS)

Plaintiff,

v.

FEDERAL INSURANCE COMPANY,
an Indiana corporation, and ACE
AMERICAN INSURANCE COMPANY,
a Pennsylvania corporation,

**DECLARATION OF TERRENCE J.
FLEMING IN SUPPORT OF
DEFENDANTS' MOTION TO
BIFURCATE**

Defendants.

I, Terrence J. Fleming, declare as follows:

1. I am an attorney at Fredrikson & Byron, P.A. and am one of the attorneys representing Defendants Federal Insurance Company and ACE American Insurance Company (collectively, "Federal") in this case.

2. Attached as **Exhibit A** is a true and correct copy of the expert report of Neil Zoltowski dated April 19, 2019.

3. Attached as **Exhibit B** is a true and correct copy of the supplemental expert report of Neil Zoltowski dated August 14, 2020.

4. Attached as **Exhibit C** is a true and correct copy of the second supplemental expert report of Neil Zoltowski dated May 13, 2021.

5. Attached as **Exhibit D** is a true and correct copy of the expert report of William S. McCarter dated May 17, 2019.

6. Attached as **Exhibit E** is a true and correct copy of Ramesh Pandey's declaration in support of summary judgment dated July 26, 2019.

7. Attached as **Exhibit F** is a true and correct copy of excerpts from the deposition of Randolph Bickley Whitener dated June 27, 2019.

8. Attached as **Exhibit G** is a true and correct copy of excerpts from the expert report of W. Christopher Bakewell dated May 17, 2019.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: November 29, 2022

s/ Terrence J. Fleming

Terrence J. Fleming